

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
:
- v - :
: 15 Cr. 287 (LTS)
SEAN STEWART, :
Defendant. :
----- x

**DEFENDANT SEAN STEWART'S
PROPOSED VOIR DIRE QUESTIONS**

Federal Defenders of New York
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TO: PREET BHARARA, ESQ.
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Defendant **SEAN STEWART** respectfully asks the Court to include the following in its questioning of the jury during jury selection, in addition to the questions typically asked by the Court. The Court is requested to pursue more detailed questioning if a particular juror's answer reveals that further inquiry is appropriate, concluding in such instance with an inquiry as to whether the juror is certain that the particular fact or circumstance would not influence the juror in favor of or against the government or the defendant.

QUESTIONS FOR THE JURORS AS A GROUP

1. During the trial, you will hear evidence about investment banks, persons who work for investment banks and the buying and selling of stocks. Over the past few years there has been a lot of media attention devoted to investment banks, other Wall Street firms, and executives who work for those firms. The media attention has generally portrayed investment banks and the executives who work for them in a negative light, and has suggested that the banks and the executives are responsible for some of the financial problems facing the country. This case does not have anything to do with the general activities of investment banks or executives nor who is to blame for the financial problems we face. This case concerns only the specific charges against Mr. Stewart set forth in the indictment. And this case has to be decided fairly based only on the evidence you hear or see in this courtroom. Does the fact that the case involves investment banks make it difficult for anyone to render a fair verdict?
2. Many people at investment banks earn substantial incomes. You may hear evidence that Mr. Stewart was paid what you may consider a lot of money during the time period charged in the indictment. Does anyone think that such evidence make it difficult for you to decide the case fairly?
3. Have any of you invested in securities such as stocks, bonds or options, or with mutual funds or hedge funds?
4. Do any of you have views about whether the stock market is fair to all investors?
5. Do any of you believe that the stock market favors particular types of investors?
6. The case concerns allegations that Mr. Stewart engaged in what is colloquially referred to as "insider trading."

- a. Have any of you read any news stories, books or articles, or seen or heard television shows, movies, radio programs or internet postings about "insider trading"? If so, what do you recall?
- b. Do you regularly read The Wall Street Journal? The New York Times? The New York Post? The New York Daily News? Time Magazine? Bloomberg BusinessWeek? The Financial Times?
- c. Does anyone have any feelings for or against the "insider trading" laws that would make it difficult to render a fair and impartial verdict in this case?

QUESTIONS FOR INDIVIDUAL JURORS

1. Have you, or any member of your family or close friend, had a negative experience with a stock brokerage firm or with any mutual fund or hedge fund?
2. Have any of you, or a relative or close friend worked in the financial industry for a bank, investment bank, broker, mutual fund or hedge fund? Will that fact affect your ability to be fair and impartial?
3. Have you read or heard about any case – whether a prosecution, SEC enforcement action, or civil lawsuit – that included charges of insider trading? Or about any person who was accused of insider trading? Have you heard or read about any person who was convicted of insider trading? If so, what do you recall?
4. What is your main source of news? Are there any magazines or newspapers that you subscribe to or read regularly?
5. What are your favorite television shows?
6. Do you belong to any associations, organizations or clubs? If “yes,” which ones?
7. What do you think is the most difficult problem facing our country today?
8. What is the name of the public figure you most admire? Please explain.

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Dated: New York, New York
July 5, 2016

Respectfully submitted,
Federal Defenders of New York

By: /s/
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